

AMENDED IN SENATE JUNE 18, 2013

AMENDED IN ASSEMBLY APRIL 2, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## ASSEMBLY BILL

**No. 716**

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**Introduced by Assembly Member Quirk-Silva**

February 21, 2013

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An act to amend Sections 13100, 13101, and 13102 of the Government Code, relating to infrastructure planning.

### LEGISLATIVE COUNSEL'S DIGEST

AB 716, as amended, Quirk-Silva. Infrastructure ~~plan~~: state planning and funding.

The California Infrastructure Planning Act requires the Governor to submit annually to the Legislature, in conjunction with the Governor's Budget, a proposed 5-year infrastructure plan containing prescribed information. Existing law requires the plan to identify state infrastructure needs and set out priorities for funding. The plan defines the term "infrastructure" to mean real property, including land and improvements to the land, structures, and equipment integral to the operation of structures, easements, rights-of-way, and other forms of interest in property, roadways, and water conveyances.

This bill would additionally require the plan to set out priorities for coordination of investment *and include an analysis of investment coordination opportunities for capital outlay related to infill and transit-oriented development*. The bill would expand the definition of infrastructure to include housing.

Existing law creates the Strategic Growth Council consisting of various state agencies, with certain powers and duties relative to the

identification and review of activities and funding programs of those agencies in order to improve air and water quality, improve natural resource protection, increase the availability of affordable housing, improve transportation, meet the goals of the California Global Warming Solutions Act of 2006, encourage sustainable land use planning, and revitalize urban and community centers in a sustainable manner. Existing law requires the council to review and comment on the infrastructure plan submitted by the Governor.

~~This bill would require the council to hold a public hearing and submit its comments on the plan to the Legislature prior to submission of the plan by the Governor. The bill would require the council to identify how the plan components improve air and water quality, improve natural resource protection, increase the availability of affordable housing, improve transportation, meet the goals of the California Global Warming Solutions Act of 2006, encourage sustainable land use planning, and revitalize urban and community centers in a sustainable manner. to submit the plan with the assistance of the Strategic Growth Council.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 13100 of the Government Code is
- 2 amended to read:
- 3 13100. It is the intent of the Legislature in enacting this article
- 4 that the state shall establish and annually update a five-year plan
- 5 for funding infrastructure. The plan shall include input by the
- 6 Legislature as provided in Section 13104. The plan shall identify
- 7 state infrastructure needs and set out priorities for funding and
- 8 coordination of investment. The plan need not identify specific
- 9 infrastructure projects to be funded, but it shall be sufficiently
- 10 detailed to provide a clear understanding of the type and amount
- 11 of infrastructure to be funded and the programmatic objectives to
- 12 be achieved by this funding. The plan is intended to complement
- 13 the existing state budget process for appropriating funds for
- 14 infrastructure by providing a comprehensive guideline for the types
- 15 of projects to be funded through that process.
- 16 SEC. 2. Section 13101 of the Government Code is amended
- 17 to read:

1 13101. As used in this article, “infrastructure” means real  
2 property, including land and improvements to the land, structures  
3 and equipment integral to the operation of structures, easements,  
4 rights-of-way and other forms of interest in property, roadways,  
5 housing, and water conveyances.

6 SEC. 3. Section 13102 of the Government Code is amended  
7 to read:

8 13102. ~~(a)~~ In conjunction with the Governor’s Budget  
9 submitted pursuant to Section 13337, the Governor, *with the*  
10 *assistance of the Strategic Growth Council*, shall submit annually  
11 a proposed five-year infrastructure plan to the Legislature. This  
12 plan shall cover a five-fiscal-year period beginning with the fiscal  
13 year that is the same as that covered by the Governor’s Budget  
14 with which it is being submitted.

15 The infrastructure plan shall contain the following information  
16 for the five years that it covers:

17 ~~(1) (A)–~~

18 (a) (1) Identification of new, rehabilitated, modernized,  
19 improved, or renovated infrastructure requested by state agencies.

20 ~~(B)~~

21 (2) Aggregate funding for transportation as identified in the  
22 four-year State Transportation Improvement Program Fund  
23 Estimate prepared pursuant to Sections 14524 and 14525.

24 ~~(C)~~

25 (3) Infrastructure needs for kindergarten through grade 12 public  
26 schools necessary to accommodate increased enrollment, class  
27 size reduction, and school modernization.

28 ~~(D)~~

29 (4) The instructional and instructional support facilities needs  
30 for the University of California, the California State University,  
31 and the California Community Colleges.

32 ~~(2)~~

33 (b) The estimated cost of providing the infrastructure identified  
34 in ~~paragraph (1)~~. *subdivision (a)*.

35 ~~(3)~~

36 (c) A proposal for funding the infrastructure identified in  
37 ~~paragraph (1)~~ *subdivision (a)*, that includes all of the following:

38 ~~(A)~~

39 (1) Criteria and priorities used to identify and select the  
40 infrastructure it does propose to fund, including criteria used to

1 identify and select infrastructure that by January 1, 2005, shall  
2 ~~demonstrate consistency~~ *be consistent* with the state planning  
3 priorities specified pursuant to Section 65041.1 for infrastructure  
4 requested by state agencies pursuant to ~~subparagraph (A) of~~  
5 ~~paragraph (1);~~ *paragraph (1) of subdivision (a).*

6 ~~(B)~~

7 (2) Sources of funding, including, but not limited to, General  
8 Fund, state special funds, federal funds, general obligation bonds,  
9 lease-revenue bonds, and installment purchases.

10 ~~(C)~~

11 (3) An evaluation of the impact of the new state debt on the  
12 state's existing overall debt position if the plan proposes the  
13 issuance of new state debt.

14 ~~(D) (i)~~

15 (4) (A) Recommended specific projects for funding or the  
16 recommended type and amount of infrastructure to be funded in  
17 order to meet programmatic objectives that shall be identified in  
18 the proposal.

19 ~~(ii)~~

20 (B) Any capital outlay or local assistance appropriations intended  
21 to fund infrastructure included in the Governor's Budget shall  
22 derive from, and be encompassed by, the funding proposal  
23 contained in the plan.

24 (5) *Investment coordination opportunities for capital outlay*  
25 *related to infill and transit-oriented development, including, but*  
26 *not limited to, development or rehabilitation of infill and*  
27 *transit-oriented development, water, sewer, or other associated*  
28 *public infrastructure costs, including, but not limited to,*  
29 *transportation improvements.*

30 ~~(b) Prior to the Governor's submitting the plan, the Strategic~~  
31 ~~Growth Council shall hold a public hearing on the plan and submit~~  
32 ~~to the Legislature any comments pursuant to its duty to review and~~  
33 ~~comment under Section 75125 of the Public Resources Code. In~~  
34 ~~its comments, the council shall identify how the plan components~~  
35 ~~improve air and water quality, improve natural resource protection,~~  
36 ~~increase the availability of affordable housing, improve~~  
37 ~~transportation, meet the goals of the California Global Warming~~  
38 ~~Solutions Act of 2006 (Division 25.5 (commencing with Section~~  
39 ~~38500) of the Health and Safety Code), encourage sustainable land~~

- 1 use planning, and revitalize urban and community centers in a
- 2 sustainable manner.

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